

SEP 02 2005

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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September 2, 2005

FACSIMILE COVER SHEET

To: Examiner Robert G. Santos
Art Unit 3673
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: (571) 273-8300

From: David W. Dorton

Re: WHE Ref: LPOR-05
U.S. Application Serial No.
10/806,557
Filed March 23, 2004
MATTRESS RETAINER BRACKET
Piana et al.

Pages: 14 (including cover sheet)

MESSAGE/COMMENTS

Attached herewith is:

Fax Cover Sheet (1 page)

Transmittal containing Certificate of Facsimile Transmission (2 pages)

Amendment (11 pages)

submitted in response to Office Action mailed June 2, 2005 in the above-identified
application.

**PLEASE DELIVER IMMEDIATELY TO
EXAMINER ROBERT SANTOS
ART UNIT 3673**

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SEP 02 2005

PATENT

Certificate of Facsimile under 37 CFR 1.8

I hereby certify that this correspondence for Application No. 10/806,557 is being facsimile transmitted to the United States Patent and Trademark Office, Technology Center 3600, via Central Fax Number (571) 273-8300, on September 2, 2005.


 David W. Dorton, Registration No. 51,625

Date

SEPTEMBER 2, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Piana et al.

Art Unit: 3673

Serial No.: 10/806,557

Examiner: Robert G. Santos

Filed : March 23, 2004

For : MATTRESS RETAINER BRACKET

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment in Response to Office Action.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ Other than a Small Entity

3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	15	minus	16	0	\$50	\$0.00
Independent Claims	4	minus	3	1	\$200	\$200.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$200.00

- ☒ Additional fee for claims is required.

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☒ Please charge my Deposit Account No. 23-3000 in the amount of \$200.00 for the additional independent claim.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$000.00

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR


- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

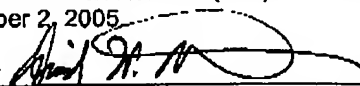
Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


David W. Dorton
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<p><u>Certificate of Facsimile under 37 CFR 1.8</u></p> <p>I hereby certify that this correspondence for Application No. 10/806,557 is being facsimile transmitted to the United States Patent and Trademark Office, Technology Center 3600, via Central Fax Number (571) 273-8300, on September 2, 2005.</p> <p> _____ David W. Dorton, Registration No. 51,625</p> <p><u>SEPTEMBER 2, 2005</u> _____ Date</p>

PATENT**RECEIVED
CENTRAL FAX CENTER****SEP 02 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/806,557
Filed: March 23, 2004
Art Unit: 3673
Examiner: Robert G. Santos
Applicant: Piana et al.
Title: MATTRESS RETAINER BRACKET
Attorney Docket: LPOR-05
Confirmation No.: 2564

Cincinnati, Ohio 45202

September 2, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

In response to the Office Action mailed June 2, 2005, please amend the application as follows.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 7 of this paper.

09/06/2005 MBINAS 00000024 233000 10006557
01 FC:1201 200.00 DA